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Error to Circuit Court, Elizabeth City County.

Proceedings between the Brooklyn Trust Company and others and one Booker, Commissioner of Revenue. From the judgment, the Brooklyn Trust Company brings error. Reversed.

Jones & Woodward, of Hampton, for plaintiff in error.

The Attorney General, *J. D. Hank, Jr.*, *Asst. Atty. Gen.*, *O. L. Shewmake*, of Richmond, and *E. E. Montague*, of Hampton, for defendant in error.

CITY OF RICHMOND *v.* O. H. BERRY & CO.

Jan. 17, 1918. Rehearing Denied March 21, 1918.

[95 S. E. 1050.]

Error to Hustings Court of Richmond.

Proceeding by O. H. Berry & Co., against the City of Richmond. To review a judgment for plaintiff, defendant brings error. Reversed.

H. R. Pollard, of Richmond, and *E. P. Buford*, of Lawrenceville, for plaintiff in error.

H. C. Riely and *Hundson Cary*, both of Richmond, and *E. Warren Wall*, of Farmville, for defendant in error.

Reversed without opinion on authority of City of Richmond *v.* Drewry-Hughes Co., 94 S. E. 989.

PLANTERS' BANK OF FARMVILLE *v.* PRINCE EDWARD COUNTY.

June 13, 1918.

[96 S. E. 132.]

Highways (§ 128*)—Road Tax—Exemption of Property within Separate Road District.—Property within the limits of an incorporated town, that constituted a separate tax district and maintained its own streets, is not subject to the road tax imposed by Code 1904, § 944a, cl. 11, as amended by Laws 1915, c. 86; the act exempting from such taxation property within any town that maintains its own streets.

[Ed. Note.—For other cases, see 12 Va.-W. Va. Enc. Dig. 880; 13 Va.-W. Va. Enc. Dig. 81.]

Error to Circuit Court, Prince Edward County.

Appeal from an order of the Board of Supervisors of Prince Edward County, imposing a road tax upon the property of the

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.

Planters' Bank of Farmville. There was a judgment of the circuit court, affirming the order, and the Planters' Bank of Farmville brings error. Reversed.

E. Warren Wall, of Farmville, for plaintiff in error.

A. D. Watkins, of Farmville, for defendant in error.

CORBY BAKING CO., Inc., v. COMMONWEALTH.

June 13, 1918.

[96 S. E. 133.]

1. Licenses (§ 19 (3)*)—Peddlers—Statutes—"Or Other."—Tax Law 1916 (4 Va. Code, p. 601) § 50 (Laws 1916, c. 457) exempting from peddler's license tax those who sell certain enumerated family supplies, "or other family supplies of a perishable nature," construed to exempt, not only those who sell articles specifically mentioned, but other perishable family supplies; the words "or other," following enumeration of supplies of diverse character, clearly showing legislative intent to exempt other supplies not specified.

[Ed. Note.—For other definitions, see Words and Phrases, First and Second Series, Other. For other cases, see 7 Va.-W. Va. Enc. Dig. 38.]

2. Statutes (§ 194*)—Construction—Ejusdem Generis—"Or Other."—In construing a statute containing enumeration of particular classes, followed by words "or other," the rule of ejusdem generis, whereby general words following enumerated classes apply only to classes specified, does not apply, where the classes mentioned are themselves of diverse character.

[Ed. Note.—For other cases, see 12 Va.-W. Va. Enc. Dig. 768.]

Error to Hustings Court of Richmond.

The Corby Baking Company, Incorporated, was subjected to state peddler's license tax by an order of the hustings court, and brings error adversely to the Commonwealth. Reversed.

Scott & Buchanan and *John L. Ingram*, all of Richmond, for plaintiff in error.

The Attorney General and *J. D. Hank, Jr.*, of Richmond, for the Commonwealth.

ARTTRIP v. COMMONWEALTH.

[96 S. E. 161.]

June 19, 1918.

Intoxicating Liquors (§ 236 (4)*)—Criminal Prosecution—Evidence—Sufficiency.—In a prosecution for unlawfully selling intoxicating

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.